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13 SIGNATURE PAGE]

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 OAKLAND DIVISION

18 LD, DB, BW, RH and CJ, on behalf of  
19 themselves and all others similarly situated,

20 Plaintiffs,

21 v.

22 UNITED BEHAVIORAL HEALTH, a  
California Corporation,  
23 UNITEDHEALTHCARE INSURANCE  
COMPANY, a Connecticut Corporation, and  
MULTIPLAN, INC., a New York corporation,

24 Defendants.

25 CASE NO. 4:20-cv-02254-YGR

26 **JOINT STIPULATION AND ~~[PROPOSED]~~  
27 ORDER TO PERMIT CERTAIN  
28 DEPOSITIONS FOLLOWING CLOSE OF  
DISCOVERY**

Hon. Yvonne Gonzalez Rogers

Complaint filed: April 2, 2020  
Third Amended Complaint filed: Sept. 10, 2021

1       Under Civil Local Rule 6-2 and 7-12, all parties in this case hereby stipulate and agree to permit  
2 the depositions of certain witnesses following the close of discovery until July 29, 2022, without  
3 modification of any other dates in the current schedule, subject to this Court's approval. The parties  
4 have met and conferred and agreed on the following proposal. For the reasons set out below, the parties  
5 respectfully submit that extraordinary and compelling reasons warrant this slight modification to the  
6 existing schedule (Dkt. 130).

7       In further support of this Stipulation, the Parties state as follows:

8       **WHEREAS**, the Court entered its Order on April 21, 2022 (Dkt. 130) extending the non-expert  
9 discovery cutoff to July 15, 2022 and otherwise extending case deadlines relating to briefing on class  
10 certification, and providing that “[n]o further extensions will be granted absent extraordinary and  
11 compelling reasons,” (Dkt. 130 at 6);

12       **WHEREAS**, the parties are on track to substantially complete fact discovery by the existing  
13 deadline, including many thousands of documents and data already produced, including, most recently,  
14 United's June 23, 2022 production of 8,452 pages of documents and privilege log containing 1,278  
15 entries, and fourteen depositions to be taken (six depositions already taken and eight more scheduled  
16 prior to the existing deadline);

17       **WHEREAS**, the parties have also conducted substantial third-party discovery, including  
18 document subpoenas to several dozen third parties;

19       **WHEREAS**, the parties also have one discovery dispute on file with the Court that has not yet  
20 been decided (Dkt. 120);

21       **WHEREAS**, notwithstanding the efforts described above, due to scheduling constraints, the  
22 parties anticipate needing to complete the depositions of a limited number of additional witnesses  
23 during the second half of July, with the permission of the Court, including (1) UHC witness Radames  
24 Lopez; (2) the Rule 30(b)(6) designees for a limited number of treatment centers; (3) third party Creyna  
25 Franco; (4) one Rule 30(b)(6) designee for MultiPlan; and (5) a limited number of third-party plan  
26 sponsors;

27       **WHEREAS**, the Court has granted two previous extensions to the deadline that is the subject  
28 of this stipulation (Dkt. 115; Dkt. 130);

**WHEREAS**, granting leave to take these depositions after the close of non-expert discovery will not alter any other dates in the schedule this Court set by its Order of April 21, 2022 (Dkt. 130);

**WHEREAS**, nothing in this Joint Stipulation alters any other rights, and the parties expressly reserve the right to seek further relief from the Court as necessary;

**NOW, THEREFORE**, subject to the approval of the Court, and for good cause shown, the parties hereby stipulate and agree to permit the parties to take the following depositions after the close of discovery and before July 29, 2022:

- UHC witness Radames Lopez;
- the Rule 30(b)(6) designees for a limited number of treatment centers;
- third party Creyna Franco;
- one Rule 30(b)(6) designee for MultiPlan; and
- a limited number of third-party plan sponsors.

A proposed order is submitted concurrently.

## IT IS SO STIPULATED.

DATED: June 28, 2022

## GIBSON, DUNN & CRUTCHER LLP

By: /s/ *Geoffrey Sigler*

Geoffrey Sigler

Attorneys for Defendants UNITED BEHAVIORAL  
HEALTH and UNITED HEALTHCARE INSURANCE  
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DATED: June 28, 2022

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By: /s/ Errol King

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Dated: June 28, 2022

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## **[PROPOSED] ORDER**

Having considered the parties' Joint Stipulation and [Proposed] Order to Permit Certain Depositions Following Close of Discovery, the Court HEREBY ORDERS as follows:

The parties may take additional depositions after the close of discovery until July 29, 2022.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: July 8, 2022

The Hon. Yvonne Gonzalez Rogers  
UNITED STATES DISTRICT JUDGE